

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

v.

Plaintiff,

Case No. 20-MJ-310

JEREMIAH BELEN,

Defendant.

JOINT MOTION TO EXTEND DEADLINE FOR RETURN OF INDICTMENT

The United States of America, by and through its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, and Kevin C. Knight, Assistant United States Attorney for said district, and the defendant, by and through his counsel, Anderson M. Gansner, hereby jointly move the Court to extend the deadline for the return of an indictment in this matter, pursuant to Title 18, United States Code, Section 3161 *et seq.* In support thereof, the parties state as follows:

1. The defendant was charged by criminal complaint on June 8, 2020, with violating Title 18, United States Code, Section 39A, by aiming a laser pointer at an aircraft in the special aircraft jurisdiction of the United States. *See [1].*
2. That same day, the defendant was arrested, [4], and made his initial appearance before the Court, [2].
3. At that time, the Government advised that it was not requesting detention, and the defendant was released. A preliminary hearing and arraignment was set for June 25, 2020. *Id.* Defendant has since waived that hearing. *See [8].*

4. The Speedy Trial Act, Title 18, United States Code, Section 3161(b), requires that any indictment against a defendant be filed within 30 days from the date on which defendant was arrested, or first appeared in Court, subject to excludable time under Title 18, United States Code, Section 3161(h). In this case, the Government's estimate of the date by which the Speedy Trial Act requires the filing of an indictment is July 8, 2020.
5. Defense counsel and the Government agree that the parties would benefit from additional time to review both defendant's background and the evidence at issue here, before additional charging decisions are made. The parties further agree that the extension requested herein serves the interests of justice and outweighs the interests of the public and the defendant in a speedy trial.
6. The defendant agrees that he will suffer no prejudice or detriment if the indictment deadline is extended beyond the initial 30 days from his initial appearance. The defendant therefore agrees to waive any objections he might otherwise have to an extension of the Government's time to seek an indictment in this case, for an additional approximately thirty-five days, through and including August 12, 2020. This waiver is made knowingly, intentionally, and voluntarily by the defendant, and with full knowledge of the provisions of the Speedy Trial Act, and with the advice and consent of counsel.
7. Counsel for the defendant represents that the defendant's waiver of his rights under the Speedy Trial Act is knowing, informed, and voluntary.
8. The defendant expressly acknowledges that this waiver is not predicated upon any promises, agreements, or understandings of any kind between the Government and the defense in this case, and that nothing contained herein shall be construed to preclude the

Government from proceeding against the defendant during or after the time period covered by this waiver.

Therefore, for the reasons described above and pursuant to Title 18, United States Code, Section 3161 *et seq.*, the parties jointly and respectfully seek an additional period of approximately thirty-five days, through and including August 12, 2020, for the return of an indictment in the above-captioned matter.

Dated at Milwaukee, Wisconsin, this 25th day of June 2020.

Respectfully submitted,

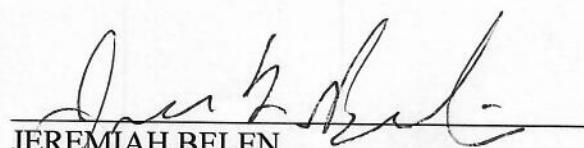
MATTHEW D. KRUEGER
United States Attorney

By:

/s/ Kevin C. Knight
Assistant United States Attorney

Defendant's Signature: I hereby agree that I have consulted with my attorney and fully understand all my rights with respect to a speedy trial, including my right to be charged by indictment within 30 days of arrest or summons, as required by Title 18, United States Code, Section 3161 *et seq.* I have read this motion for an extension of time to be charged by indictment and carefully reviewed every part of it with my attorney. I understand the motion and voluntarily agree to it.

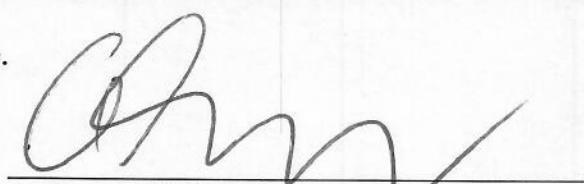
Date: 6/30/20



JEREMIAH BELEN
Defendant

Defense Counsel Signature: I am counsel for the defendant in this case. I have fully explained to the defendant his rights to be charged by indictment within 30 days of arrest or summons. Specifically, I have reviewed the terms and conditions of Title 18, United States Code, Section 3161 *et seq.*, and I have fully explained to the defendant the provisions that may apply in this case. To my knowledge, the defendant's decision to agree to an extension of time to be charged by indictment is an informed and voluntary one.

Date: 6/30/20



Anderson M. Gansner
Attorney for Defendant